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10/564,377	12/12/2006	Fabien Beckers	NY-GRYN 230-US	9252
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EXAMINER HO, CHUONG T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/564,377

Applicant(s)

BECKERS ET AL.

Examiner

CHUONG T. HO

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,8,9,11,12,16,17,19,20 and 24 is/are rejected.
- 7) ☒ Claim(s) 2,5-7,10,13-15,18, 21-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 03 08558 (france).
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 09/27/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the Application SN 10/564,377 filed on 12/12/06. Claim 1-24 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 09/27/07 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: figure 1 does not include the following reference sign(s) such as reader 1, sending mean 3, computing mean 7, telephone unit 9, Bluetooth request 4, response signal 6, detecting mean 10, slave community object 13, community object 2, data processing 8, sending mean 5, activating mean 11, previous master community object 12;

figure 2 does not include 114: Bluetooth equipment; 115: Signal detector 116: Wakeup signal ! 17: GSM signal 118: Bluetooth signal;

figure 3 does not include the following reference sign(s) such as 112: Communicating object reader; 113: Communicating object; 119: Phase 119: The user activates the GSM system in the portable reader; 120: Phase 120: Resumption of Bluetooth activity; 121" Phase 121" Reception of the identifier of the communicating object; 122: Phase 122: Listening for a signal; 123: Phase 123" Is the signal above a given limit; 116: Wakeup signal for the Bluetooth part; 124: Phase 24 for starting the Bluetooth activity; 125: Phase 125 for transferring the identifiers of the communicating objects;

figure 4 does not include the following reference sign(s) such as 127: Phase 127: Wakeup of the system 128: Phase 128: The sending and listening by a communicating object (inquiry mode or Bluetooth call) for the master of the community OR for other chips in individual mode; 129: Phase 129: Enters into community mode; 130: Phase 130: Joins the community if it receives a response from the master of the community; 131" Phase 130: Is there a response"; 132: Phase 132: Search for a communicating object reader; 133: Phase 133: Creation of a new community if there is a response from all individual; 134: Phase 134: Sending the identifier of the chip; 131 : Phase 131 : Is there a response; 135: Phase 135: Sleep phase for a given period;

figure 5 does not include the following reference sign(s) such as 137: Phase 137: Wakeup time imposed by the current master; 138: Phase 138: Listening for a communication from the new master; 139: Phase 139: Communication?
140: Phase 140: Transmits the identifier of the chip to the new master and obtains the

wakeup time; 141: Phase 141: Entry into deep sleep mode; 142: Phase 142: Either a chip has been removed from the community of chips or a new master has been removed; 143: Phase 143: Entry into individual mode;

figure 6 does not include the following reference sign(s) such as 144: Phase 144: A chip is designated as the master by the previous master, and the old master becomes a slave; 145: Phase 145: Community mode – Master; 146: Phase 146: The chip performs an inquiry process to verify which chips belong to the community. All of the identifiers are recorded; 147: Phase 147: The master chip gives all the chips the wakeup interval. 148: Phase 148: The chip designates a chip to become the master; 149: Phase 149: The chip searches for a reader and for chips seeking to join the community.

150: Phase 150: The chip transmits the updated list to the members of the community at defined intervals; 151: Phase 151: If a reader is found, all the identifiers of the community are transferred; 152: Phase 152: If a new chip is found, the wakeup information is transmitted. Its identifier is added to the list; 153: Phase 153: After a defined time, the role of master is transferred to the next master.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3 - 4, 8, 9, 11-12, 16, 17, 19-20, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamato (Patent No.: US 7,123,643 B2) in view of Nordman et al. (Patent No.: US 7,194,760 B2).

Regarding claim 1, Yamato '643 disclose a method for rapidly establishing a Bluetooth type communication between a reader (figure 1, master Bluetooth device 1) having a Bluetooth type communication protocol and a communicating object (figure 1, slave Bluetooth devices 2) having said Bluetooth type communication protocol and a communication address (col. 1, lines 35-42, BD_ADDR "Bluetooth device address") , said Bluetooth type communication protocol implementing a radio frequency communication process on channels having specific frequencies (col. 2, lines 3-10, selecting hop frequencies, col. 2, lines 40-45, selecting the hop frequencies) divided into a first subgroup of frequencies and a second subgroup of frequencies (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the

IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); the method comprising the steps of:

sending a Bluetooth request (col. 2, lines 45-60, inquiry, col. 3, lines 45-55, inquiry, col. 5, lines 32-40) and establishing said communication process by said reader; transmitting a response signal (col. 2, lines 50-60, response, col. 4, lines 10-20, response) to reveal its presence and said communication address to said reader by said communicating object that receives said Bluetooth request; selecting said at least one communicating object with which said reader (the master BT device) exchanges information from among the received communication addresses (col. 2, lines 50-55, BD_ADDR) of said communicating objects (col. 2, lines slave BT devices 2) by said reader;

alternately and successively selecting a frequency from the first subgroup of frequencies followed by a frequency from the second subgroup of frequencies by said communicating object (col. 2, lines 3-10, selecting hop frequencies, col. 2, lines 40-45, selecting the hop frequencies) (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms);

randomly selecting the first subgroup of frequencies or the second subgroup of frequencies by said reader (col. 2, lines 5-10, selecting the hop frequencies) ; and performing frequency scans (col. 27-35, scanning of only one frequency selected) of the frequencies in the selected subgroup of frequencies before performing a frequency scan of the other subgroup of frequencies by said reader (the master BT device) (col. 2, lines 3-10, selecting hop frequencies, col. 2, lines 40-45, selecting the hop frequencies) (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms), thereby reducing the time required (col. 7, lines 10-16, reduce the power consumption) for said reader and said communicating object to find the frequency of the channel on which they can exchange information.

However, Yamato '643 are silent to disclose determining whether at least one communicating object is present in the environment in which said reader is located.

Nordman '760 , in the same or similar fields of the endeavor, disclose sending a Bluetooth request (col. 2, lines 20-35, inquiry request) and establishing said communication process by said reader to determine whether at least one communicating object is present in the environment in which said reader is located (col.

1, lines 35-45, searching for other devices in its vicinity);
transmitting a response (col. 2, lines 20-35, inquiry response) signal to reveal its presence and said communication address to said reader by said communicating object that receives said Bluetooth request;
selecting said at least one communicating object with which said reader exchanges information (col. 4, lines 20-25, exchanging data) from among the received communication addresses (col. 4, lines 45-55, BD_ADDR) of said communicating objects by said reader

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Nordman '760 into the system of Yamato '643, since Nordman '760 recited the motivation in the col. 1, lines 65-67 which provide a pseudonym for a Bluetooth device so that the user's identity, routes, and activities cannot be correlated with his / her device's address.

Regarding to claim 3, Yamato '643 disclose wherein said communication protocol comprises standby phases (col. 9, lines 5-8, inactive) and active (col. 8, lines 63-67, active) phases.

However, Yamato '643 are silent to disclosing further comprising the step of adapting the duration of said standby phases to a number of said Bluetooth requests sent by said reader.

Nordman '760 disclose wherein said communication protocol comprises standby phases and active phases; and further comprising the step of adapting the duration of

said standby phases to a number of said Bluetooth requests sent by said reader (col. 5, lines 30-35, not have an active) (col. 9, lines 55-65, standby state).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Nordman '760 into the system of Yamato '643, since Nordman '760 recited the motivation in the col. 1, lines 65-67 which provide a pseudonym for a Bluetooth device so that the user's identity, routes, and activities cannot be correlated with his / her device's address.

Regarding to claim 4, Yamato '643 disclose further comprising tile step of establishing a Bluetooth connection between said reader and said communicating object using said frequency of the channel on which they can exchange information (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms).

Regarding to claim 8, Yamato '643 disclose activated by means of an application linked to said communicating object when said application is activated by a user of said communicating object (col. 8, lines 20-27, activated by the user's control input).

Regarding to claim 9, Yamato '643 disclose a system for rapidly establishing a Bluetooth type communication between a reader (figure 1, master BT "Bluetooth" device 1) and a communicating object (figure 1, slave BT devices 2) , comprising a reader (master BT device 1) having a Bluetooth type communication protocol implementing a radio frequency communication process on channels having specific frequencies (col. 2, lines 5-10, selecting hop frequencies) divided into a first subgroup of frequencies and a second subgroup of frequencies (col. 2, lines 1-30; (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); and comprising a first sending means for sending a Bluetooth request and establishing said communication process (col. 2, lines 50-60, inquiry request, inquiry response) ; and a plurality of communicating objects (figure 1, slave BT devices 2), each having a communication address (BD_ADDR) and said Bluetooth type communication protocol, and comprising:

- a second sending means for sending a response signal (col. 2, lines 50-60, inquire request, inquiry response) to reveal its presence and for transmitting said communication address to said reader; and
- a data processor for alternately and successively selecting a

frequency from the first subgroup of frequencies followed by a frequency from the second subgroup of frequencies (col. 2, lines 1-30; (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); and wherein said reader further comprises a processor for selecting said at least one communicating object with which said reader exchanges information from among the communication addresses of communicating objects present; randomly selecting the first subgroup of frequencies or the second subgroup of frequencies (col. 2, lines 1-30; (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); and performing frequency scans (col. 2, line 28-30 frequency scans) of the frequencies in the selected subgroup of frequencies before performing a scan of the frequencies in the other subgroup of frequencies, thereby reducing the time required for said reader and said at least one communicating object to find the frequency of the channel on which they can exchange information (col. 2, lines 5-30, selecting the groups of the

frequencies) (col. 2, lines 1-30; (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms);.

However, Yamato '643 are silent to disclose determining whether at least one communicating object is present in the environment in which said reader is located.

Nordman '760 , as the same or similar fields of the endeavor, disclose a plurality of communicating objects (col. 1, Bluetooth devices 116, 118) sending a Bluetooth request (col. 2, lines 20-35, inquiry request) and establishing said communication process by said reader to determine whether at least one communicating object is present in the environment in which said reader is located (col. 1, lines 35-45, searching for other devices in its vicinity); transmitting a response (col. 2, lines 20-35, inquiry response) signal to reveal its presence and said communication address to said reader by said communicating object that receives said Bluetooth request; selecting said at least one communicating object with which said reader exchanges information (col. 4, lines 20-25, exchanging data) from among the received communication addresses (col. 4, lines 45-55, BD_ADDR) of said communicating objects by said reader

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Nordman '760 into the system of Yamato '643, since Nordman '760 recited the motivation in the col. 1, lines 65-67 which provide a pseudonym for a Bluetooth device so that the user's identity, routes, and activities cannot be correlated with his / her device's address.

Regarding to claim 11, claim 11 is rejected the same reasons of claim 3 above.

Regarding to claim 12, claim 12 is rejected the same reasons of claim 4 above.

Regarding to claim 16, Yamato '643 disclose wherein said communicating object is linked to an application module which is operable to trigger the establishment of the communication between said communicating object and said reader, and wherein said application module being activated by a simple action from a user of said communicating object (col. 8, lines 20-27, activated by the user's control input).

Regarding to claim 17, Yamato '643 disclose a communicating object (figure 1, slave BT devices 2) for rapidly establish a Bluetooth type communication with a reader (figure 1, master BT device 1) having a Bluetooth type communication protocol implementing a radio frequency communication process on channels having specific frequencies (col. 2, lines 5-10 selecting the hop frequencies) divided into a first subgroup of frequencies and

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a second subgroup of frequencies (col. 2, lines 1-30; (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms),

said communicating object having said Bluetooth type communication protocol and a communication address (BD_ADDR) , and wherein said reader comprises a first sending means for sending a Bluetooth request (col. 2, lines 45-60, inquiry request) and establishing said communication process to determine whether at least one communicating object is present in the environment in which said reader is .located, said communicating object comprising:

a receiving means for receiving said Bluetooth request (col. 2, lines 50-60, inquiry request) from said reader (the master BT device 1) ;

a second sending means for sending a response signal (col. 2, lines 50-60, inquiry response) and transmitting said communication address (BD_ADDR) to said reader (figure 1, master BT device 1); and

a data processor for alternately and successively selecting a frequency from the first subgroup of frequencies followed by a frequency from the second subgroup of frequencies (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies

belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); and

wherein a processor of said reader is operable to:

randomly select the first subgroup of frequencies or the second subgroup of frequencies (col. 2, lines 1-30, 32 hop frequencies are grouped into two groups with 16 hop frequencies which will be referred to as train A and a train B..... the master BT device 1 transmit the IP packets by using all of the 16 hop frequencies belonging to the train A during a period of 10 ms...and then repeats the processing for transmitting the IP packets by using all of the 16 hop frequencies belonging to the train B during a period of 10 ms); and
frequency scan (col. 2, lines 28-32, frequencies scans) the frequencies in the selected subgroup of frequencies before performing a scan of the frequencies in the other subgroup of frequencies, thereby reducing (col. 7, lines 10-15, reduce power consumptions) the time required for said reader and said communicating object to find the frequency of the channel on which they can exchange information.

However, Yamato '643 are silent to disclose revealing its presence and transmitting said communication address to said reader ;

Nordman '760 disclose a second sending means for sending a response signal (col. 2, lines 50-60, inquiry response) revealing its presence and transmitting said communication address (BD_ADDR) to said reader (figure 1, master BT device 1) located (col. 1, lines 35-45, searching for other devices in its vicinity)

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Nordman '760 into the system of Yamato '643, since Nordman '760 recited the motivation in the col. 1, lines 65-67 which provide a pseudonym for a Bluetooth device so that the user's identity, routes, and activities cannot be correlated with his / her device's address.

Regarding to claim 19, claim 19 is rejected the same reasons of claim 3 above.

Regarding to claim 20, claim 20 is rejected the same reasons of claim 4 above.

Regarding to claim 24, Yamato '643 disclose wherein said communicating object is linked to an application module which is operable to trigger the establishment of the communication between said communicating object and said reader, and wherein said application module being activated by a simple action from a user of said communicating object (col. 8, lines 20-27, activated by the user's control input).

Allowable Subject Matter

7. Claims 2, 5-7, 10, 13-15, 18, 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EDAN ORGAD can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CH
01/31/09

/Hassan Kizou/
Supervisory Patent Examiner, Art Unit 2419